

County Council of Dorchester County
Open Meeting Minutes
November 4, 2024

The County Council of Dorchester County convened into Open Session on November 4, 2024 at 4:30 p.m., in Room 110 of the County Office Building, 501 Court Lane, Cambridge, Maryland 21613. A roll call of the members was conducted. Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; and, Ricky C. Travers. Also present in Room 110 were: Jerry Jones, County Manager; Charles MacLeod, County Attorney; and, Irene Barnes, Executive Administrative Specialist.

Upon motion by Councilman Travers, seconded by Councilman Kramer, the Council adjourned into Closed Session at 4:31 p.m., pursuant to the following sections of Title 3 of the General Provisions Article of the Maryland Annotated Code, §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; §3-305(b)(13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; §3-305(b)(7) to consult with counsel to obtain legal advice, and, §3-305(b)(3) to consider the acquisition of real property for a public purpose and matters directly related thereto. The Written Statement for Closing a Meeting under the Open Meetings Act is attached hereto.

OPEN SESSION

The County Council of Dorchester County convened into Open Session on November 4, 2024 at 6:08 p.m., in Room 110 of the County Office Building, 501 Court Lane, Cambridge, Maryland 21613. Present in Room 110 were: George L. Pfeffer, Jr., President; Mike Detmer, Vice President; Rob Kramer, Jr.; William V. Nichols; and, Ricky C. Travers. Also present in Room 110 were: Jerry Jones, County Manager; Charles MacLeod, County Attorney; and, Irene Barnes, Executive Administrative Specialist.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Travers led the invocation and the pledge of allegiance.

CALL FOR ADDITIONS OR DELETIONS TO AGENDA

After publication of the agenda, the following item was added:

- Acquisition of Property – Glasgow Tennis Courts – Board of Education.

The Council approved the amended agenda.

FINANCIAL REPORT: CASH AND INVESTMENTS

Councilman Pfeffer reported total cash and investments as \$37,937,523.30.

CLOSED SESSION SUMMARY

The Council convened into a Closed Session at 4:31 p.m. on November 4, 2024 to discuss the following items pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code §3-305(b)(1), (13) (7) and (3):

1. Notifications of recent personnel changes within the County;
2. Reappointment of a member to a specific board;
3. Filling of a specific County position;
4. Received legal advice from the County Attorney regarding the following:
 - a. Legal documents relating to a specific board;
 - b. Requirements of administering a specific board;
 - c. A specific request relating to Water & Wastewater Services;
 - d. State of Maryland landfill requirement;
 - e. Potential litigation;
 - f. A matter relating to traffic safety;
 - g. Legislation relating to traffic laws;
 - h. The potential disposition of County owned property; and,
5. Discussed the potential acquisition of real property.

CONSENT AGENDA

Upon motion by Councilman Travers, seconded by Councilman Kramer, the Council unanimously approved the following items:

- County Council Open Session Minutes – October 15, 2024 – October 22, 2024
- Accounts Payable Disbursement Report – Week Ending November 1, 2024
- Request to Advertise for Proposals – Audit Services – Finance

Upon motion by Councilman Travers, seconded by Councilman Kramer, the Council unanimously adjourned into Legislative Session.

LEGISLATIVE SESSION

PUBLIC HEARING – SOLAR ENERGY SYSTEMS

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING CHAPTER 155 (ZONING) OF THE DORCHESTER COUNTY CODE FOR THE PURPOSES OF REPEALING AND REENACTING § 155-50(LL) TO PROVIDE FOR ACCESSORY, SMALL SCALE, AND UTILITY SCALE SOLAR ENERGY SYSTEMS, ADOPTING REGULATIONS REGARDING THE SAME, DEFINING TERMS ASSOCIATED THEREWITH, AND AMENDING THE TABLE OF PERMITTED USES BY ZONING DISTRICT REGARDING SOLAR ENERGY SYSTEMS; PROVIDING THAT THE TITLE OF THIS BILL SHALL BE DEEMED A FAIR SUMMARY, AND GENERALLY RELATING TO SOLAR ENERGY SYSTEMS IN DORCHESTER COUNTY, MARYLAND.

Ms. Barnes said a public hearing is being conducted on Bill No. 2024-8 to provide for accessory, small scale, and utility scale solar energy systems, adopting regulations regarding the same, defining terms associated therewith, and amending the Table of Permitted Uses by Zoning District regarding solar energy systems; providing that the title of this bill shall be deemed a fair summary, and generally relating to solar energy systems in Dorchester County, Maryland.

The following provided public comments:

- Tracy Whitby-Fairall, resident
- Erick Windsor, resident
- Beth Hill, resident

Councilman Pfeffer asked for further public comments, hearing none, the public hearing was closed.

Councilman Detmer expressed his concerns relating to solar.

Upon motion by Councilman Detmer, seconded by Councilman Travers, the Council adopted Bill 2024-8 by a 3 to 2 vote, the roll call was: Pfeffer – aye; Detmer – aye; Kramer – nay; Nichols – nay; and, Travers – aye.

Councilman Pfeffer said laws can be amended and modified, if something is not done, we could be facing worse.

The Council adjourned into Open Session.

OPEN SESSION

ACTION ITEMS

BID AWARD – RECREATION CENTER REPAIRS – RECREATION & PARKS

Repaving/Line Stripping

Upon motion by Councilman Detmer, seconded by Councilman Kramer, the Council unanimously approved the request of Duc Trieu, Recreation & Parks Director, to award the bid for repaving and line stripping of the Recreation Center to the second lowest bidder, as the lowest bidder did not submit all of the required documentation, Russell Paving Co. Inc., at the cost of \$33,900.00, which will be funded by a FY24 Program Open Space grant.

Sidewalk Repairs

Upon motion by Councilman Detmer, seconded by Councilman Kramer, the Council unanimously approved the request of Mr. Trieu to award the bid for sidewalk repairs of the Recreation Center to the lowest bidder, Camper & Sons Concrete Works, LLC at the cost of \$19,600.00, which will be funded by a FY24 Program Open Space grant.

LANDFILL HOLIDAY HOURS – HUMAN RESOURCES

Upon motion by Councilman Kramer, seconded by Councilman Detmer, the Council unanimously approved the request of Kristin Budd, Human Resources Director, on behalf of John Cooney, Landfill Manager, Public Works, to update the landfill holiday schedule to allow County landfills and transfer stations to close on all County observed holidays.

FY25 CAPITAL GRANT AGREEMENT – MARYLAND TRANSIT ADMINISTRATION – DELMARVA COMMUNITY SERVICES

Upon motion by Councilman Travers, seconded by Councilman Kramer, the Council unanimously approved the request of Andrea Waters, Transportation Grants Specialist, Delmarva Community Services, Inc. (DCS) - Delmarva Community Transit, to accept a FY25 Capital Grant Agreement through the Maryland Transit Administration to fund preventative maintenance and the purchase of a small replacement bus, with a project time period of July 1, 2024 to June 30, 2026, and a local match of \$16,315.00 which will be funded by the Non-Profit Fund.

FY26 BUDGET GOAL & PRIORITIES

Mr. Jones asked the Council to establish a list of their FY26 Budget goals and priorities to discuss at a future meeting in December.

MACO LEGISLATIVE COMMITTEE NOMINATIONS – MEMBER & ALTERNATE

Upon motion by Councilman Travers, seconded by Councilman Detmer, the Council unanimously nominated Councilman Pfeffer, as the Member, and Councilman Detmer, as the Alternate, to serve on the Maryland Association of Counties 2025 Legislative Committee as the Dorchester County representatives.

POLL CONFIRMATIONS

Upon motion by Councilman Detmer, seconded by Councilman Kramer the Council unanimously confirmed its decision in the interim of meetings, via poll to:

- Adopted Resolution No. 679 to place an open-air burn ban into effect for Dorchester County as of October 18, 2024 at 8:00 a.m., with the exception of gas, charcoal grills or fire pits, as well as, specific burnings under the direct control and supervision of qualified persons, by a 5 to 0 vote;

AMERICAN RESCUE PLAN ACT EXPENDITURE PROPOSAL

Upon motion by Councilman Travers, seconded by Councilman Kramer, the Council unanimously approved the expenditure proposal presented by Mr. Jones, to apply the remaining American Rescue Plan Act to the following:

• Ambulance Purchase	EMS	\$500,000.00
• Finance Dept. Security Enhancements	Finance	\$25,000.00
• Edmunds Module Charge	Water & Wastewater	\$26,000.00
• Single Audit Expenses (FY23-FY27)	Finance	\$137,489.46
• County Office Building Security Plan	Planning & Zoning	\$113,782.37
• Corrections Security Enhancements	Corrections	\$77,168.00
• Lowboy Trailer Purchase	Public Works	\$131,000.00
• Electronic Vehicle Rescue Tools	Dorchester County VFD	\$20,370.00
• Mimosa Drive Sanitary Project	Water & Wastewater	\$26,500.00
• Comprehensive Water & Sewer Plan	Water & Wastewater	\$258,040.00

ACQUISITION OF PROPERTY – GLASGOW TENNIS COURTS – BOARD OF EDUCATION

Upon motion by Councilman Travers, seconded by Councilman Detmer, the Council unanimously approved the request of Duc Trieu, Recreation & Parks Director, to acquire the Glasgow Tennis Courts from the Board of Education (BOE), and install six pickleball courts.

COUNTY MANAGER COMMENTS

Mr. Jones reflected on the fatal accident that occurred on Sunday, November 3, 2024 on Route 50 near Austin Road, Cambridge Maryland, and expressed that those in the Public Safety field are heroes. He asked the public to share in this sentiment and check on family members and friends that are in this field.

COUNCIL'S COMMENTS

Councilman Nichols recollected an incident across the street from the Elks in Cambridge Maryland, and expressed his appreciation of the Public Safety Division. He said it is an endless, glamourless, and thankless job.

Councilman Travers: 1) said the Glasgow project will be a phased approach, which this is phase one; 2) reiterated Mr. Jones, adding that they implemented Critical Incident Stress Management (CISM) last night and tonight to help the team manage what they saw during the accident, and asked that the public keep them in prayer; and, 3) asked the public to vote on Election Day and pray for our countries healing.

Councilman Detmer: 1) echoed the comments relating to Public Safety and voting; 2) thanked the BOE for its willingness to help us with pickleball; 3) noted the BOE work sessions regarding school renovations and new construction; 4) said November 11, 2024 is Veterans Day, and that outreach and appreciation is very important.

Councilman Pfeffer: 1) asked the public to please reach out to the BOE regarding meetings as there could be big changes to the school and everyone should get involved; 2) thanked the staff for attending the Council meetings; 3) echoed the comments relating to Public Safety, asked staff to convey the Council's appreciation and to let them know we are here for them.


PUBLIC COMMENTS

In response to an inquiry from Terry Robbins, resident, Councilman Pfeffer said standards for appropriate notifications of league tournaments will be established by Recreation & Parks.

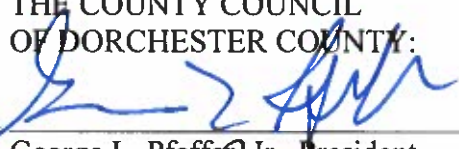
ADJOURNMENT

With no further business to discuss, and upon motion by Councilman Kramer seconded by Councilman Detmer the Council unanimously the Council adjourned the meeting at 7:03 p.m.


ATTEST:



Jerry Jones
County Manager

THE COUNTY COUNCIL
OF DORCHESTER COUNTY:


George L. Pfeffer Jr., President



Mike Detmer, Vice President



Rob Kramer, Jr.

Absent

William V. Nichols



Ricky C. Travers

Approved the 19 day of NOV, 2024.

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING
("CLOSING STATEMENT") UNDER THE OPEN MEETINGS ACT (General
Provisions Article § 3-305)**

This form has two sides. Complete items 1 – 4 before closing the meeting.

1. Recorded vote to close the meeting:

Date: Nov. 4, 2024; Time: 4:30 p.m.; Location: 501 Court Lane, Room 110,
Cambridge, MD 21613; Motion to close meeting made by: _____ Seconded by: _____
Members in favor: Pfeffer, Demmer, Kramer, Travers, Nichols
Opposed: _____ Abstaining: _____ Absent: _____

2. Statutory authority to close session (check all provisions that apply).

This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) ___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) ___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) ___ "To consider the investment of public funds"; (6) ___ "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) ___ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) ___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) ___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) ___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) ___ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) ___ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) ___ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b)(1)	To discuss the following: a) Notifications of recent personnel changes within the County; b) Reappointment of a member to a specific board; and, c) Filling of a specific County position.	To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals
§3-305(b)(13)	Same topics as above	To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
§3-305(b) (7)	To receive legal advice from the County Attorney regarding the following: a) Legal documents relating to a specific board; b) Requirements of administering a specific board; c) A specific request relating to Water & Wastewater Services; d) State of Maryland landfill requirement; e) Potential litigation; f) A matter relating to traffic safety; g) Legislation relating to traffic laws; and, h) The potential disposition of County owned property.	Council does not want to waive the attorney-client privilege. See page 101, August 17, 2021, OMCB ruling (15 OMCB 99)
§3-305(b) (3)	To discuss the potential acquisition of real property.	To consider the acquisition of real property for a public purpose and matters directly related thereto

This statement is made by , Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ **For a meeting closed under the statutory authority cited above:**

Time of closed session: _____

Place: _____

Purpose(s): _____

Members who voted to meet in closed session: _____

Persons attending closed session: _____

Authority under § 3-305 for the closed session: _____

Topics actually discussed: _____

Actions taken: _____

Each recorded vote: _____

➤ **For a meeting recessed to perform an administrative function (§ 3-104):** Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____

CLOSED SESSION SUMMARY
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